

1 Q. Or any other -- any -- anything else?

2 MR. NATHAN: Object to the form --

3 THE WITNESS: Anything else how?

4 MR. NATHAN: -- of the question.

5 BY MS. SUSLER:

6 Q. Was there any -- any requirements that
7 the Chicago Police Department communicated to you
8 about the polygraph procedure at any time?

9 A. No.

10 Q. Was there any -- anything communicated
11 to you by anyone in the Chicago Police Department
12 about following national standards?

13 A. No.

14 Q. About note taking?

15 A. No.

16 Q. About recording?

17 MR. NATHAN: Objection, foundation as to time
18 frame.

19 THE WITNESS: After a while, we were required
20 to record all homicides.

21 BY MS. SUSLER:

22 Q. Before you were required to record all
23 homicides, was there ever anything communicated to
24 you by anyone in the Chicago Police Department about
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1 recording polygraph examinations?

2 A. No.

3 Q. When were you required to record all
4 polygraph examinations in homicides -- at --
5 polygraph examinations in homicide investigations?

6 A. That, I don't know. I don't remember.

7 Q. How long had you been a polygraph
8 examiner when that happened?

9 A. I -- once again, ma'am, time frames, I
10 don't remember.

11 Q. Are you aware of anything in writing
12 that was in effect as of May of 2005 documenting the
13 Chicago Police Department policy about recording
14 polygraph examinations in homicide investigations?

15 A. No.

16 Q. Do you know whether there was a
17 Chicago Police Department policy about recording
18 polygraph examinations as of May of 2005?

19 A. I don't know if I -- I don't know
20 if -- I don't remember. I don't know.

21 Q. At -- at -- do you know why -- well,
22 let me ask you this: There was change at some point
23 in that at some point you could conduct a polygraph
24 examination in a homicide investigation and not

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1 record it; is -- is that right?

2 A. Yes.

3 Q. And then at some point, someone in the
4 Chicago Police Department communicated to you that
5 you were to record polygraph examinations in homicide
6 investigations; is that correct?

7 A. Yes.

8 Q. And do you know -- you already told me
9 you don't know when that was, right?

10 A. No.

11 Q. And why that change, if you know?

12 A. I don't know.

13 Q. And this policy that you're telling me
14 about, about recording, what was the method of
15 recording that the Chicago Police Department
16 required, if you know?

17 A. Both audio and video.

18 Q. When did you first have either audio
19 or video recording equipment?

20 A. That, I don't -- I don't remember
21 when.

22 Q. When you first started as a polygraph
23 examiner, if you wanted to record a polygraph
24 examination, was there any policy that you were aware

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1 of that prohibited you from doing that?

2 A. No.

3 Q. At any time that you were a polygraph
4 examiner, were you ever aware of any Chicago Police
5 Department policy that would have prohibited you from
6 recording, by audio or video, any polygraph
7 examination that you administered?

8 A. No.

9 Q. Before the change that you're telling
10 me about with recording, did you ever record, by
11 audio or video, any polygraph examination that you
12 administered?

13 A. No.

14 Q. Why not?

15 A. I didn't know I was allowed to.

16 Q. Did you ever ask?

17 A. No.

18 Q. Did anyone ever tell you you were not
19 allowed to?

20 A. No.

21 Q. Do you know whether any other
22 polygraph examiner in the Chicago Police Department
23 ever recorded, by audio or video, any polygraph
24 examination before the requirement that they be

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1 recorded?

2 A. I don't know.

3 Q. Did anyone ever tell you they did?

4 A. No.

5 MS. SUSLER: We're on Exhibit 37?

6 MR. NATHAN: Yes.

7 (WHEREUPON, Exhibit 37 was marked
8 and tendered to Witness.)

9 BY MS. SUSLER:

10 Q. For the record I'm showing you what
11 I've marked as Exhibit 37, which is City 1455 through
12 City 1461, that purports to be a general order,
13 subject, "Digital Recording of Homicide Inves --
14 Interrogations." Have you ever seen this before?

15 A. Yes.

16 Q. I -- this says, "Date of issue,
17 July 15th, 2005. Effective date, July 18th, 2005,"
18 correct?

19 A. Yes, ma'am.

20 Q. And does that refresh your
21 recollection at all about when the requirement to
22 commence recording was implemented?

23 A. Yes.

24 Q. Okay. And -- so in July of 2005 is
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